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11 UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF WASHINGTON
13

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.
17

18 ALI ABED YASER,
19 (a/k/a “Abu Hasanain”),
20 HUSSEIN A. YASIR,
21 (a/k/a “Abu Fakhri”),
22 INSAF A. KARAWI,
23 HASANEIN A. YASER,
24 AHMAD K. BACHAY,
25 (a/k/a “Muthalath”),
26 (a/k/a “Humayad”),
27 MASHAEL A. BACHAY,
28 MOHAMMAD BAJAY,
(a/k/a “Abu Jabbar”),
HUSSEIN K. BACHAY,
NOOR TAHSEEN AL-MAAREJ,
ALI F. AL-HIMRANI,
RANA J. KAABAWI,
AMAR F. ABDUL-SALAM,
AMEER R. MOHAMMED,
MOHAMMED F. AL-HIMRANI,

Court No. 4:21-CR-06042-MKD

Joint Report on the Status of
Discovery & Electronically
Stored Information

MARIA ELENA SANCHEZ,
SEIFEDDINE A. AL-KINANI,
ABDULLAH AL-DULAIMI,
FIRAS S. HADI,
FAROOQ S. YASEEN,
KHALIL ABDUL-RAZAQ,
JESUS GEORGE SANCHEZ,
SINAN AKRAWI, and
MOHAMMED NAJI AL-JIBORY,

Defendants.

Plaintiff, United States of America, by and through Vanessa R. Waldref, United States Attorney for the Eastern District of Washington, and George J.C. Jacobs, III and Dominique Juliet Park, Assistant United States Attorney for the Eastern District of Washington, along with John C. Ellis, Jr., Defense Discovery Coordinator, Michael William Lynch, Lead Defense Counsel, hereby submit this joint report on the status of discovery, and in particular, the production of electronically stored information, pursuant to the Court's order, filed at ECF No. 431.

Background

On March 25, 2022, the Court ordered, in part, for the parties noted above to meet and confer and to file a joint status report that identifies and describes "with particularity any and all electronically stored information" that has yet to be produced to John C. Ellis, Jr., Defense Discovery Coordinator. ECF No. 431. Prior to entry of this order, Mr. Ellis and the United States met on several occasions to discuss the orderly transfer of discovery.¹ On April 5, 2022, Mr. Ellis, Mr. Lynch, Mr. Jacobs, and Ms. Park met via Zoom to discuss all outstanding discovery

¹ The latest disclosure letter addressed to Mr. Ellis is attached to this joint status report (Attachment A), along with the latest disclosure letter addressed to the defense attorneys (Attachment B).

materials, including those classified as electronically stored information (“ESI”), and a timeline for when this material will be provided to Mr. Ellis. During the meet and confer, the parties discussed the format in which the United States would produce the outstanding ESI. The United States agrees that with respect to the mobile phones, the United States will provide associated ESI in two formats: (1) original forensic extraction; and (2) report format, to the extent possible.

Remaining ESI

The chart following below identifies the outstanding ESI yet to be produced and the projected date it will be provided to Mr. Ellis, who will, in turn, provide the materials to defense counsel:

Device	1B	Anticipated Production Date
iPhone Xs Max with gold case / SN: GR5YX007KPHF	1B1	April 15, 2022
iPhone S Silver / Model: A1633 / FCC ID: BCGE2946A	1B2	Imaging in progress - TBD
iPad Air in black case / SN: F9FY91QELMX0	1B3	May 1, 2022
Samsung cell phone / Model: SCH-M828C(GP) / FCC ID: A3LSPHM820	1B4	April 15, 2022
HTC white cell phone / Model: OPM9200 / FCC ID: NM80PM9200	1B5	May 1, 2022
Grey iPhone IMEI: 353906103237468	1B22	May 1, 2022
iPhone 11 Pro Max, S/N: FK1ZJ60RN70L	1B24	April 15, 2022
Apple iPad, S/N: DLXYTIC9KC5P	1B27	Imaging in progress - TBD
HP Chromebook, S/N: 5CD7511456 / Model 14-AK041DX	1B39	<i>Unable to image at this time.²</i>
Grey iPhone	1B41	April 15, 2022
iPhone with cracked screen, with charger	1B42	April 15, 2022
iPad, model: A1709. S/N: DLXV3395HPDV	1B43	May 1, 2022
Grey iPhone	1B44	April 15, 2022
Silver Toshiba Hard Drive	1B46	April 15, 2022

² There are a number of devices that law enforcement were simply unable to get into due to password/access issues. These devices, nonetheless, remain on the list in the event they can be accessed and imaged at a later date.

1	Grey iPhone	1B47	April 15, 2022
2	Apple Laptop / Model: A2159 / S/N: FVFYV29CL410	1B51	May 1, 2022
3	Homemade DVRs	1B53	April 15, 2022
4	Black 8GB Recorder/Player	1B73	April 15, 2022
5	16 GB Black and Red Mini Attache Flash Drive	1B74	April 15, 2022
6	White and Blue 16 GB Lexar Thumb Drive	1B75	April 15, 2022
7	White and Grey Thumb Drive - Supprelin LA	1B76	May 1, 2022
8	Black and White SanDisk Thumb Drive	1B77	April 15, 2022
9	SanDisk Adapter and two SanDisk Micro cards	1B78	April 15, 2022
10	HP Laptop w/ Power Cord / 15-af131dx	1B79	<i>Subject to filter</i>
11	Apple iPhone - Gray	1B80	<i>Subject to filter</i>
12	HP SPECTRE Laptop, Model: 15-df1033dx	1B84	<i>Subject to filter</i>
13	iPhone	1B104	April 15, 2022
14	SanDisk thumb drive / 16GB	1B105	April 15, 2022
15	Three SIM cards	1B107	April 15, 2022
16	iPad / Model: A2014 / SN: DLXZ5243KC51	1B112	May 1, 2022
17	iPhone - white with black case	1B158	May 1, 2022
18	Laptop	1B163	May 1, 2022
19	iPhone 11- with pink colored case	1B167	April 15, 2022
20	Black smartphone	1B169	Imaging in progress - TBD
21	iPhone silver and white	1B171	April 15, 2022
22	Black iPhone 11 Pro Max	1B199	April 15, 2022
23	256 GB SanDisk Cruzer Glide containing data from 1B22, 1B47, 1B88, 1B89, 1B125, 1B126, 1B127, 1B128, 1B176.	1B200	April 15, 2022
24	1TB Seagate external hard drive containing phone data from phone belonging to Khalil Abdul-Razaq	1B201	April 15, 2022
25	iPhone IMEI 89014104272134512818	1B88	April 15, 2022
26	iPhone IMEI 89014104271460181347	1B89	April 15, 2022
27	iPad DMPW5L4VJF8J	1B90	<i>Unable to image at this time.</i>
28	Six (6) USB drives, and one (1) SD card	1B103	April 15, 2022
	Black Toshiba laptop S/N: 9D185092Q	1B124	May 1, 2022
	iPhone XS Max model: MT6H2LL/A S/N: F2LYRDFLKP HF	1B125	April 15, 2022
	iPhone XS Max model: MT6J2LL/A S/N: G6TYV960KPHG	1B126	April 15, 2022
	iPhone S model: A1634	1B127	April 15, 2022

1	iPhone S model: A1634	1B128	April 15, 2022
2	One (1) Samsung Tablet, silver in color, IMEI 355695/05/769246/7, S/N: RF1D4668MMX	1B130	April 15, 2022
3	One (1) iPhone, gold in color, IMEI: 013851004924511	1B134	April 15, 2022
4	One (1) HP Laptop, black in color, model: 2000-2c29WM, S/N: 5CG3263H21	1B135	May 1, 2022
5	One (1) iPhone RED, red in color, model: A1661	1B136	April 15, 2022
6	One (1) iPhone, black in color, model: A1661	1B137	RCFL – Imaging in progress – TBD
7	One (1) Dragon Touch tablet, white in color	1B139	April 15, 2022
8	One (1) Samsung Tablet, silver in color, S/N R52HA2ESB8(UI)	1B140	April 15, 2022
9	One (1) Apple laptop, silver in color, S/N CPWMQ537DTY3	1B141	April 15, 2022
10	iPhone, black in color, with pink glitter case and charger	1B142	April 15, 2022
11	iPhone, gold in color	1B143	<i>Unable to image at this time.</i>
12	One (1) iPad, silver in color, S/N GG7XDFCUJF88	1B146	April 15, 2022
13	One (1) Samsung tablet, silver in color, S/N R52HA1ZZZQD	1B147	<i>Unable to image at this time.</i>
14	One (1) iPhone, gold in color	1B148	Imaging in progress – TBD
15	SanDisk Ultra Plus 32GB Sim Card	1B173	April 15, 2022
16	iPhone, gold in color	1B175	April 15, 2022
17	iPhone, gold in color	1B176	May 1, 2022
18	iPad, S/N GCTV8FAFHP9X, gold in color	1B177	April 15, 2022
19	Samsung Galaxy S4 cell phone	1B178	April 15, 2022
20	LG cell phone, Cricket	1B179	April 15, 2022
21	SanDisk Adaptor with 4GB Micro SD Card	1B181	April 15, 2022
22	iPad, S/N DLXYJ5KEKC51, gray in color	1B184	April 15, 2022
23	Agent Samsung J7 Phone	N/A	April 15, 2022
24	Agent LG Phone	N/A	April 15, 2022
25	Agent Samsung S9	N/A	April 15, 2022
26	Agent Google Pixel	N/A	May 1, 2022 (Recent Comms)
27	Linguist Google Pixel	N/A	May 1, 2022 (Recent Comms)
28			

CHS Apple iPhone 11 Xs Max	N/A	April 15, 2022
CHS Galaxy J7 Phone	N/A	April 15, 2022
CHS Apple iPhone 12 Pro Max	N/A	April 15, 2022

The United States notes that there are a few ESI items under the control of the filter review team. At this time, the prosecution team is unable to address when those items will be available for production to Mr. Ellis. The parties will, nonetheless, continue to work together to ensure that the above items are provided to Mr. Ellis as expeditiously as possible. Should any issues arise, the parties will notify the Court.

Dated this 8th day of April, 2022.

Respectfully submitted,

Vanessa R. Waldref
United States Attorney

s/ George J.C. Jacobs, III
George J.C. Jacobs, III
/s/ Dominique Juliet Park
Dominique Juliet Park
Assistant United States Attorneys

s/ John C. Ellis, Jr.
John C. Ellis, Jr.
Defense Coordinating Discovery Attorney

s/ Michael William Lynch
Mike William Lynch
Lead Defense Attorney

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on April 8, 2022, I caused the foregoing to be filed with
3 the Clerk of the Court using the CM/ECF System and service of such filing will be
4 sent by reliable electronic means to the registered CM/ECF Participant(s).

5 Alexander H Fuqua,
6 Bryan P Whitaker
7 Craig Donald Webster
8 Curran C Dempsey
9 David Matthew Miller
10 Douglas E McKinley
11 Emily M Gause
12 Gregory Lee Scott
13 Jeffrey Scott Niesen
14 John Gregory Lockwood
15 John Gary Metro
16 Justin Lonergan
17 Karla Kane Hudson
18 Kent Neil Doll
19 Mike William Lynch
20 Nicholas Wright Marchi
21 Quinn Rosborough Dalan
22 Ricardo Hernandez
23 Richard A Smith
24 Robert Michael Seines
25 Roger James Peven
26 Stephen R Hormel
27 Zachary Lynn Ayers

28 I hereby certify that I have emailed the document to the following non-CM/ECF
participants(s):

John C. Ellis, Jr. john@johnellislaw.com

s/Dominique Juliet Park
Dominique Juliet Park
Assistant United States Attorney